

REMARKS

[01] ALLOWED CLAIMS

[02] The Office Action of 2008-Oct-14 allowed Claims 2-7, 11-12, and 14-24. Claim 2 has been amended in a manner that should not affect its status as allowed.

[03] CANCELED CLAIMS

[04] Claims 1 and 13 were previously canceled.

[05] OBVIOUSNESS: CLAIMS 8-10, 25-27

[06] Item 5 of the Office Action rejects Claims 8-10 and 25-27 as being obvious given U.S. Patent Publication 2003/0128891 to Hoover et al., "Hoover" herein in view of U.S. Patent No. 6,717,608 to Mancuso et al., "Mancuso" herein. Claims 8-10 and 25-27 are amended to define the invention with greater specificity and to increase the differences over the prior art. As applied to the amended claims, the rejections for obviousness are traversed.

[07] "While"

[08] The amended versions of the rejected claims all require that image strips be combined while image strips are captured. The prior art does not teach this limitation, a fact that the Office Action implicitly admits. The Office Action simply asserts without any support in the prior art that "it would have been obvious to combine the image strips into the panoramic image (46) while the series of image frames is being obtained, since it would be very logical and efficient steps to follow in obtaining/generating a panoramic image". Since nothing in the prior art suggests this conclusion, it is apparent that the Office Action is relying in impermissible hindsight to reach this conclusion.

[09] Furthermore, the Office Action fails to support the assertion that the proposed modification “would be very logical”. It is not at all apparent what logic has to do with the “while” limitation. Also, the Office Action has offered no support for the conclusion that the proposed modification would increase efficiency. It is noted in this regard, that, in Hoover, the combining requires only displaying strip images side-by-side. In the proposed modification, each time a new strip is captured, a new presentation would be required to combine the images. In Hoover, the images need to be presented only once, which would seem more efficient. Thus, the proposed motivation for modifying Hoover fails. **Since the Office Action fails to establish that the “while” limitation is obvious given the cited art, the rejections should not be reasserted against amended Claims 8-10 and 25-27.**

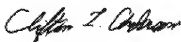
[10] In-Camera Combining

[11] As amended, the rejected claims all require in-camera processing to combine image strips. Hoover discloses processing by a computer not in the camera. Mancuso (last paragraph of the background section) teaches away from in-camera combining of image strips. Accordingly, it would not be obvious to modify Hoover in accordance with the teachings of Mancuso to meet the in-camera combining limitation. Since the in-camera combining limitation has been added to the rejected claims, the rejections for obviousness should not be reasserted.

[12] CONCLUSION

[13] In view of the “while” and in-camera combining limitations, it is respectfully submitted that all claims are allowable and allowance of the application in its present form is respectfully requested.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Clifton L. Anderson".

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